

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STEPHAN C. McNEIL,

Petitioner,

v.

OHIO ADULT PAROLE AUTHORITY,

Respondent.

CASE NO. 2:21-CV-00471

JUDGE SARAH D. MORRISON

Magistrate Judge Elizabeth P. Deavers

ORDER

On February 4, 2021, the Magistrate Judge issued a Report and Recommendation pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. 2241 be dismissed without prejudice as unexhausted. (ECF No. 2.) Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed.

The Report and Recommendation (ECF No. 2) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED** without prejudice as unexhausted.

Petitioner has waived his right to appeal by failing to file objections. Therefore, the Court **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

s/Sarah D. Morrison

SARAH D. MORRISON

UNITED STATES DISTRICT JUDGE